



DATE: July 21, 1977

National Archives and Records Service

Washington, DC 20408

REPLY TO  
ATTN OF: NNDG

SUBJECT: CIA Backlog

NND

The CIA backlog is large and rapidly growing, and is presenting us with a number of problems. One large block of records, 400 cubic feet of ACST ID files, contains 25,000+ pages of CIA material. With the exception of coordination of the CIA documents, all other work (up to the point of withdrawal) on that unit is completed. We will not withdraw those 25,000+ pages and then coordinate them with the agency because we anticipate that well in excess of 95% of that material can and will be released by the CIA. Withdrawing, coordinating, and then refiling 95% of that which was withdrawn is excessively time consuming and costly.

In the post 1945 records we have withdrawn 5,176 documents comprising 42,716 pages. The date coverage on these runs from 1946 to 1951, with 80% of the material falling in 1946 and 1947. We took these projects through to completion because there were no overwhelming large blocks of CIA material. However, as in the case cited above, we estimate that more than 95% of the material withdrawn can and will be released by the CIA. The problem in this instance is that we must continue to treat this material as classified and must deny researchers access to it.

The most efficacious short term solution is to extend declassification authority for NARS another two to four years. Our reviewers could eliminate perhaps three fourths of the currently tabbed and withdrawn material. CIA reviewers would then not be burdened with the obvious chaff, and could concentrate on the difficult material. NARS will benefit by being able to quickly reduce the overall amount of classified material. CIA will benefit by having the number of documents which they must review lessened. Both agencies will gain the public relations advantage of not being forced to deny researchers access to documents which within a matter of months will surely be released.

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THE NATIONAL ARCHIVES AND RECORDS SERVICE

Restrictions - General - 1

GENERAL RESTRICTIONS ON THE USE OF RECORDS IN  
THE NATIONAL ARCHIVES OF THE UNITED STATES

The restrictions set forth below apply to all accessioned records of the kinds or classes described, regardless of the record group in which they may be found.

Records: Certificates of arrival, declaration of intention, certificates of naturalization, and certificates of citizenship, regardless of the length of time they have been in existence.

Restrictions: Certified copies of the records of the kinds enumerated above shall not be furnished. Uncertified copies of these records may be furnished. Requests for certified copies shall be referred to the Immigration and Naturalization Service.

Specified by: The Department of Justice.

Rev. 5, May 18, 1973.

Restrictions -- General -- 2

GENERAL RESTRICTIONS ON THE USE OF RECORDS IN  
THE NATIONAL ARCHIVES

The restrictions stated below apply to the kinds or classes of accessioned records designated regardless of the record groups to which such records belong. Additional restrictions applicable to particular record groups are separately issued.

Records: Copyrighted material.

Restrictions: Material that is protected by subsisting copyright shall not be used by any person without the written permission of the copyright owner except as such use is authorized by law.

Imposed by: The Archivist of the United States.

Reissued, April 14, 1958.

THE NATIONAL ARCHIVES

Restrictions - General - 3

GENERAL RESTRICTIONS ON THE USE OF RECORDS IN  
THE NATIONAL ARCHIVES

The restrictions stated below apply to the kinds or classes of accessioned records designated regardless of the record groups to which such records belong. Additional restrictions applicable to particular record groups are separately issued.

Records: Records less than 75 years old containing information about the physical or mental health or the medical or psychiatric care or treatment of individual persons.

Restrictions: Access to information in such records will be subject, as nearly as may be, to any pertinent current regulations of the agency that created the records or that succeeded to its functions. If there are no such current regulations or if such regulations as there are do not provide adequate guidance in a specific instance, access to information in the records will be subject, as nearly as may be, to the pertinent current regulations of the Public Health Service (42 C.F.R. 1.102, 1.104, and 1.108).

Imposed by: The Archivist of the United States.

Reissued June 11, 1963.

GENERAL RESTRICTIONS ON THE USE OF RECORDS IN  
THE NATIONAL ARCHIVES

The restrictions stated below apply to the kinds or classes of accessioned records designated regardless of the record groups to which such records belong. Additional restrictions applicable to particular record groups are separately issued.

- I. Records: Records that are marked as containing "atomic energy restricted data."

Restrictions: Information contained in records so marked will be made available only (a) as authorized by the head or a specially designated official of the transferring agency or its successor agency or (b) when the restrictive marking has been canceled by proper authority.

Imposed by: Congress and the Archivist of the United States.

- II. Records: Other records less than 50 years old that are marked in accordance with the provisions of any Federal law, Executive order, or regulation explicitly intended to safeguard official information in the interests of national defense.

Restrictions: Information contained in records so marked will be made available only (a) as authorized by the head or a specially designated official of the originating agency or its successor agency or (b) when the security marking has been canceled by proper authority.

Imposed by: Congress, the President, and the Archivist of the United States.

Rev. 2, reissued June 11, 1963.

THE NATIONAL ARCHIVES

Restrictions - General - 5

GENERAL RESTRICTIONS ON THE USE OF RECORDS IN  
THE NATIONAL ARCHIVES

The restrictions stated below apply to the kinds or classes of accessioned records designated regardless of the record groups to which such records belong. Additional restrictions applicable to particular record groups are separately issued.

- I. Records: Records less than 75 years old of the investigation of persons or groups of persons by investigative authorities of the executive branch.  
Restrictions: Information in these records will be made available only as authorized by an appropriate official of the originating agency or its successor agency.  
Imposed by: The Archivist of the United States.
- II. Records: Records less than 50 years old of the following kinds that originated in any of the components of the Department of Defense: inspector general reports of investigation or of inquiry, aircraft accident reports, and records of boards of investigation, courts-martial, courts of inquiry, military commissions, and provost courts.  
Restrictions: Information in these records will be made available only as authorized by an appropriate official of the originating agency or its successor agency.  
Imposed by: The Archivist of the United States in conformity with the guide lines set forth in Department of Defense Directive 5400.7, June 23, 1967.
- III. Records: All documents less than 75 years old among the records of any agency of the Government that are identifiable as having originated with the Federal Bureau of Investigation or its predecessor, the Bureau of Investigation (established July 26, 1908), that include quotations from or paraphrase statements in such documents, that identify by name personnel of the Bureau, or that reveal the Bureau's sources of information.  
Restrictions: Information in these records will be made available only as authorized by an appropriate official of the Federal Bureau of Investigation.  
Specified by: The Director, Federal Bureau of Investigation.

Rev. 2, July 24, 1967.

THE NATIONAL ARCHIVES

Restrictions - General - 6

GENERAL RESTRICTIONS ON THE USE OF RECORDS IN  
THE NATIONAL ARCHIVES

The restrictions set forth below apply to all accessioned records of the kinds or classes described, regardless of the record group in which they may be found. Restrictions applicable only to particular record groups are separately issued.

Records: All records less than 75 years old of the following types:

(1) Intercepted private letters or other intercepted private communications, including facsimile or other copies of such communications, and (2) records resulting from censorship or interception of private communications that identify the sender or recipient and that quote, paraphrase, or describe the content of such communications.

Restrictions: Such records may be used only by the intercepting or recipient agencies or their successor agencies, if any, and by investigative agencies of the Federal Government.

Specified by: The Office of Emergency Planning in conformity with policies stipulated by the former Office of Censorship for records of this class.



THE NATIONAL ARCHIVES

Restrictions - General - 7

GENERAL RESTRICTIONS ON THE USE OF RECORDS  
CREATED BY THE JOINT (AND COMBINED) CHIEFS OF STAFF  
IN THE NATIONAL ARCHIVES

The use of accessioned records created by the Joint (and Combined) Chiefs of Staff is subject to "General Restrictions on the Use of Records in the National Archives" and "Comprehensive Restrictions on the Use of Records of the Department of Defense in the National Archives," to the extent that any such records created by the Joint (and Combined) Chiefs of Staff are of the character described therein.

Restrictions that are specifically applicable to records created by the Joint (and Combined) Chiefs of Staff, irrespective of record group, are as follows:

Records: Records less than 50 years old that have been created by the Joint (and Combined) Chiefs of Staff.

Restrictions: Requests for access to or information from such records interfiled with records of any department or agency of the Government shall be referred to the appropriate records administration officer of such department or agency.

Specified by: Secretary of Defense letter of September 11, 1969.

Sept. 23, 1970.

THE NATIONAL ARCHIVES

Restrictions - General - 8

GENERAL RESTRICTIONS ON THE USE OF RECORDS  
IN THE NATIONAL ARCHIVES

The restrictions stated below apply to the kinds or classes of accessioned records designated regardless of the record groups to which such records are allocated.

Records: All records containing personal, business, or industrial information obtained by any Federal agency under the provisions of the Federal Reports Act of 1942 (56 Stat. 1078), or other subsequent statutory authority, that were deemed confidential by the agency or with reference to which a request for confidential treatment was made by the person (individual, partnership, association or any organized group of persons, or their legal successor or representative) furnishing such information. In general, the types of information so restricted are data about the technical and financial operations of individual firms or persons including the "operations, style of work, or apparatus of any manufacturer or producer"; and "the amount or source of income, profits, losses, expenditures," or "methods of doing business" of any individual or concern (59 Stat. 412).

Restrictions: Such information may not be published or disclosed in any way to the public or to another Federal agency with the following statutory exceptions: 1) information may be released in statistical totals or summaries in such manner that the source thereof is not disclosed or identified directly or indirectly and "studies, graphs, charts, or other documents of like general character" containing statistical data of this type may be published; 2) information may be released if the persons who supplied the information agree to its release; 3) the Defense Department and the Maritime Administration may obtain in confidence "such data and information as may be requested by them for use in the performance of their official duties"; 4) information may be released "to any other Federal agency" that has authority supported by provisions of legal penalties to collect the same information itself; and 5) information obtained under the Defense Production Act of 1950, as amended, and not made public before April 30, 1953, may be furnished to the Congress or any duly authorized committee thereof, the Department of Justice in the performance of its functions, and the successors to the Economic Stabilization Agency (56 Stat. 1078, 59 Stat. 412, and 67 Stat. 131).

Specified by: The Congress of the United States.

December 28, 1970.